



UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
Address: COMMISSIONER OF PATENTS AND TRADEMARKS
Washington, D.C. 20231
www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/416,368	10/12/1999	DAVID J. CORISIS	3770.2US-(97	6085

7590 09/18/2002

JOSEPH A WALKOWSKI
TRASK BRITT & ROSSA
P O BOX 2550
SALT LAKE CITY, UT 84110

[REDACTED] EXAMINER

GRAYBILL, DAVID E

[REDACTED] ART UNIT [REDACTED] PAPER NUMBER

2827

DATE MAILED: 09/18/2002

Please find below and/or attached an Office communication concerning this application or proceeding.



UNITED STATES DEPARTMENT OF COMMERCE
Patent and Trademark Office

Address: ASSISTANT COMMISSIONER FOR PATENTS
Washington, D.C. 20231

09/416368

APPLICATION NO./ CONTROL NO.	FILING DATE	FIRST NAMED INVENTOR / PATENT IN REEXAMINATION	ATTORNEY DOCKET NO.
---------------------------------	-------------	---	---------------------

EXAMINER

ART UNIT PAPER

18

DATE MAILED:

Please find below and/or attached an Office communication concerning this application or proceeding.

Commissioner of Patents and Trademarks

See attached office action.

David E Graybill
Primary Examiner
Art Unit: 2827

The response to election of species requirement filed on 8-12-2 is nonresponsive because it fails to conform to the provisions of MPEP 714.03:

Where a bona fide response to an examiner's action is filed before the expiration of a permissible period, but through an apparent oversight or inadvertence some point necessary to a complete response has been omitted - such as an amendment or argument as to one or two of several claims involved or signature to the amendment - the examiner, as soon as he or she notes the omission, should require the applicant to complete his or her response within a specified time limit (usually one month) if the period for response has already expired or insufficient time is left to take action before the expiration of the period. If this is done the application should not be held abandoned even though the prescribed period has expired.

Specifically, applicant has not elected a single disclosed species as required. To further clarify, applicant proposes to "elect, without traverse, the species of invention set forth in claim 25, illustrated in drawing FIGS. 3 and 4." However, applicant has not explicitly elected one of "the species comprising forming the alignment feature in the heat spreader, and the species comprising providing the alignment feature in the tie bare," as required. Moreover, "the species of invention set forth in claim 25," and the species "illustrated in drawing FIGS. 3 and 4" are different, mutually exclusive species.

Although the claims have been checked for further deviation from 37 CFR 1.121, applicant is respectfully requested to scrutinize the claims and correct any additional errors. Since the above mentioned reply appears to be *bona fide*, applicant is given a TIME PERIOD of **ONE (1) MONTH or THIRTY (30)**

Application/Control Number: 09/416,368
Art Unit: 2827

Page 3

DAYS from the mailing date of this notice, whichever is longer, within which to supply the omission or correction in order to avoid abandonment. EXTENSIONS OF THIS TIME LIMIT MAY BE GRANTED UNDER 37 CFR 1.136(a).

Any telephone inquiry of a general nature or relating to the status (MPEP 203.08) of this application or proceeding should be directed to Group 2800 Customer Service whose telephone number is 703-306-3329.

Any telephone inquiry concerning this communication or earlier communications from the examiner should be directed to David E. Graybill at (703) 308-2947. Regular office hours: Monday through Friday, 8:30 a.m. to 6:00 p.m.

The fax phone number for group 2800 is 703/308-7722.



David E. Graybill
Primary Examiner
Art Unit 2827

D.G.
16-Sep-02